HON. DONNA M. SIWEK

Part 26 - Fourth Floor

Chambers - Fifth Floor, South

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Civil Conferences, including Matrimonial:

- Adjournments may be requested at least 48 hours prior to the conference, by email, copied to all counsel and to ametz@nycourts.gov. Requests should indicate that all counsel have been consulted and whether they consent.
- Preliminary conferences must be held within forty-five (45) days of RJI filing.

<u>VIRTUAL CONFERENCES</u>: Conference rules are set forth in each Teams invitation.

<u>Civil Motions, including Matrimonial</u>: Alternating Thursdays in Part 26 as scheduled by Court Clerk. (See 2023 Schedule below)

- All motion papers must be e-filed in NYSCEF and courtesy copies delivered to the Court (see below) no later than 12 noon on the Tuesday before the Thursday motion return date. (If special term is on a day other than Thursday, all motion papers must be e-filed and courtesy copies delivered to the Court [see below] by 12 noon two business days prior to the return date).
- For all motions, including efiled matters, counsel should provide chambers with hard copies of all motion papers, <u>securely bound with exhibit tabs</u>, simultaneous with e-filing pursuant to the deadlines set above.

- Fax and e-mail submissions of motion papers are not permitted.
- If motion papers are not timely filed, the motion may be adjourned by the Court.
- Subject to Court's approval, adjournments granted on request or with consent of all counsel, by contacting secretary or court clerk by email.
- Requests for TROs must be on notice to the other side if other attorney is known.
- Requests for Oral Argument granted in the discretion of the Court.
- Adherence to the Uniform Rules for the Supreme and County Court is expected.
 - *Motions for summary judgment: We do not require a Statement of Material Facts (§202.8-g).
 - *Motions related to disclosure disputes: Absent exigent circumstances, supporting affirmations must indicate with specificity that counsel have had telephonic/in-person communication with opposing counsel as part of their good faith efforts to resolve the matter. See §202.20-f(b).

In Camera Procedure: In the event that the Court orders an *in camera* review of records, the following procedure shall be employed:

- 1. The party seeking to limit disclosure shall subpoena to Court the records for *in camera* review.
- 2. The party seeking to limit disclosure must simultaneously subpoena those records to their office.
- 3. Once the party seeking to limit disclosure has received a copy of the records, they shall submit a privilege log consistent with CPLR §3122(b) and a copy of the Bill of Particulars on notice to opposing counsel within 14 days.
- 4. The party seeking disclosure shall have fourteen (14) days from receipt of the privilege log and Bill of Particulars to submit any additional argument to the court that the records referenced in the privilege log are subject to disclosure.

Civil Trials, including Matrimonials:

• Trial Rules are set forth in the Trial Scheduling Order.

- Adjournments granted only in the most exceptional circumstances, not upon consent of counsel.
- All motions *in limine* shall be made returnable and heard at least two weeks prior to jury selection.
- Expert disclosure deadlines per court's trial scheduling order.

2023 SPECIAL TERM DATES*

December 14

January 26 July 13 February 9 July 27 February 23 August 10 August 24 March 10 September 7 March 30 September 21 April 6 May 4 October 5 May 18 October 19 June 1 November 2 June 15 November 30

June 29

^{*}This schedule is subject to change by the Court.